

VETO MESSAGE ON SB 6159

March 30, 2012

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 2,
Senate Bill 6159 entitled:

"AN ACT Relating to a business and occupation tax
deduction for amounts received with respect to
dispute resolution services."

Senate Bill 6159 allows dispute resolution centers to deduct amounts they receive as contributions from federal, state, and local government or nonprofit organizations from the measure of the business and occupation tax. Nonprofit organizations may also deduct from the measure of tax amounts received from federal, state, or local governments for distribution to a qualified dispute resolution center.

Section 2 would apply this deduction from the measure of the tax both prospectively and retroactively. The retroactive application of the bill would reward delinquent taxpayers, while those who paid on time would not receive a refund under the prohibition on the gift of state funds in Article VIII, Section 5 of the Washington Constitution, as interpreted by the Washington Supreme Court.

For this reason, I have vetoed Section 2 of Senate Bill 6159.

With the exception of Section 2, Senate Bill 6159 is approved.

Respectfully submitted,
Christine Gregoire
Governor